

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Cameron York and Sharon York,)
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 Plaintiffs,)
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) Civil Action No.: 6:10-CV-00989-JMC
 vs.)
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)
 CLK Multifamily Management, LLC,)
)
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 Defendant.)
)

SECOND AMENDED COMPLAINT

1. Plaintiffs are citizens and residents of South Carolina. Defendant is a limited liability company with its principal place of business in Tennessee. The amount in controversy, without interest and costs, exceeds the sum or value specified by 28 U.S.C § 1332.
2. On or about October 29, 2008, Plaintiffs rented an apartment at Turtle Creek Apartments in Greenville, South Carolina, which apartments are owned by Defendant.
3. Plaintiff Cameron York (“Mr. York) was walking down a set of stairs near his apartment, and the stairs gave way. Mr. York fell through the stairs and to the pavement below.
4. As a result, Mr. York was injured, lost wages/income, and incurred medical expenses.
5. As a result, Mr. York has also been unable to fulfill many services as a husband, both in and out of the home, and Plaintiff Sharon York (“Mrs. York”) has been deprived of those services.

6. As Plaintiffs' landlord, Defendant owed Plaintiffs a non-delegable duty to maintain the stairs in a safe condition.

7. Defendant failed to maintain the stairs in a safe condition.

8. Defendant's failure to maintain the stairs in a safe condition was negligent, grossly negligent, willful, and wanton.

9. Accordingly, Plaintiffs are entitled to actual and punitive damages.

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WHEREFORE, Plaintiffs demand judgment against Defendant for actual and punitive damages, plus costs and any further relief the Court may deem just and proper.

November 9, 2010
Date

s/Douglas A. Churdar
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